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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

WONG, A

ART UNIT

PAPER NUMBER

2713

DATE MAILED:

09/12/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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Office Action Summary

Application No.

09/452,952

Applicant(s)

FREDERICK, PAUL J.

Examiner

Allen Wong

Art Unit

2713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) ____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6, 10 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews (5,600,368).

Regarding claim 1, Matthews discloses a method for distributing video images of a sporting event comprising the steps of providing each of a plurality of participants in said sporting event with a video camera (see fig.2; note cameras 42-48 captures images from seven different locations on a baseball field, a sporting event, like camera 42 captures images from the center field position and camera 48 captures images from third base, etc.), providing each of said cameras with a respective transmitter (col.7, lines 13-15; note Matthews teaches that a camera control signal is transmitted via a "communication link"; even though the term "transmitter" is not used but the terms "transmitted" inherently implies that a transmitter must exist for a signal to be transmitted, thus, Matthews must inherently disclose a transmitter for transmitting video information) for transmitting information regarding video images generated by the camera, providing retransmission equipment (see fig.4 and col.5, lines 36-46; note set-top box 24 is the retransmission equipment for receiving the video information and directing the information to the remote viewers' locations, to the television 20 in fig.1) for

receiving information transmitted by the transmitter and directing information regarding video images from each of the plurality of cameras to respective channels for remote viewing at viewers' locations, providing channel selectors (col.5, lines 33-35; note element 74 is a channel selector) that permit viewers to select from among the channels, simultaneously operating said cameras during the entertainment event so as to generate a plurality of camera feeds during the event (see fig.2), each feed reflecting a perspective of a respective participant (see fig.2; note each camera from 42-48 reflect a different view of each different respective camera position), transmitting the plurality of feeds to the retransmitting equipment (col.7, lines 13-15; note Matthews teaches that a camera control signal is transmitted via a "communication link"; even though the term "transmitter" is not used but the terms "transmitted" inherently implies that a transmitter must exist for a signal to be transmitted, thus, Matthews must inherently disclose a transmitter for transmitting video information), and retransmitting the feeds to said channels, such that a viewer is allowed to select from a plurality of said channels (col.5, lines 33-35; note element 74 is a channel selector) to thus enable viewing of the sporting event through the perspective of one or more participants of greatest interest to the particular viewer.

Although Matthews may not appear to disclose the teaching of seeing perspectives of all participants at all angles, Matthews does teach that the event can be seen in numerous views from all participants. Also, the system disclosed by the applicant is reminiscent from the real NASCAR scene, NASCAR 95 (ie. video game), and helmet cameras installed on race cars, Arena Football League players dating back

to 1990. Therefore, it would have been obvious for one of ordinary skill in the art to place cameras at sporting event participants for obtaining video images so as to entertain and satisfy the viewing audience, as evidenced by the NASCAR, NASCAR 95 (ie. video game) and Arena Football League scene.

Note claim 14 has similar corresponding elements.

As for claim 5, 6, 10 and 12, Matthews discloses that the camera feed is generated for all participants (see fig.2; note cameras 42-48 obtain images from various locations) and that the images selected by the viewer can be viewed on a display monitor screen (fig.1, 22).

Regarding claim 4, although Matthews may not appear to mention the transmission of video information by way of the Internet, it would have been obvious to one of ordinary skill in the art to use the Internet for conveniently viewing video information on a computer when one does not have a television available.

Regarding claim 13, although Matthews may not appear to mention that the interactive television system can be used in a race car competition, Matthews suggests that the interactive television system can be used for numerous sporting events, Matthews decides to use baseball as an example of how the his interactive television system can be implemented. Therefore, one of ordinary skill in the art would obviously take Matthew's teaching of interactive television system and manipulate it into a race car competition scene for providing an amazing and thrilling experience for race car audiences.

Claims 2, 3, 7-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews in view of Vancelette (5,894,320).

As for claim 2, Matthews does not mention the use of audio information that accompanies the video information, however Vancelette teaches that the viewer can listen to an audio feed of the sporting event's participants (col.5, lines 42-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Matthews and Vancelette for allowing the viewer to experience the participant's perspective and provide a sense of realism.

Regarding claim 3, Matthews discloses a cable system (see fig.4) is used, but Matthews does not appear to mention transmitting video information by way of pay-per-view television system, however Vancelette teaches the use of pay-per-view (col.7, lines 63-65). It would have been obvious to one of ordinary skill in the art to use pay-per-view television system for providing the viewer a plurality of viewing options for viewers' convenience. Also, it is obvious and inherent that all cable companies have pay-per-view services for viewers' viewing pleasure and accessibility.

As for claims 7 and 8, Matthews does not appear to mention having advertisements in his interactive television system, however, Vancelette teaches the use of advertisements (col.7, lines 58-67; note the term "marketing scheme" implies advertisements). Therefore, it would have been obvious to one of ordinary skill in the art to use advertisements for providing the viewing audience a glimpse or preview of upcoming events on television so that the viewer can plan ahead on what events to watch.

Regarding claims 9 and 11, Matthews may not appear to disclose the use of gathering viewer's requests for which camera feed of the sporting event is most common, however, Vancelette teaches the use of a rating scheme for gathering statistics on what most people watch and which camera feed is the most common (col.7, lines 65-67), and essentially gathering ratings is equivalent to gathering viewer's requests. Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings Matthews and Vancelette for obtaining a full and complete report on what the viewers like and dislike on television.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (703) 306-5978. The examiner can normally be reached on Mondays to Thursdays from 9-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (703) 305-4856.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AW
September 7, 2000



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